THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.1804 of 2006

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Dated:31.01.2006

Between:

Kasturi Hanumanta Raju S/o.Narayana Raju
R/o.Naspur village, Mancherial Mandal Adilabad District

..... PETITIONER

AND

The District Collector, Adilabad District, and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.1804 of 2006

ORDER:

The petitioner is a resident of Naspur Village, Mancherial Mandal, Adilabad District. It is his case that an extent of the land admeasuring Acs.5.00 in Survey No.42 situated at Naspur Village was assigned to him under Laoni Rules, 1958, and after coming into force of the Andhra Pradesh Rights in Land & Pattadar Pass Books Act, 1971, the Mandal Revenue Officer also issued the pattadar pass book and title deed to him. It is his further case that on 17.01.2006, having come to know that respondent Nos.1 to 3 are trying to allot the petitioner's land to the fifth respondent, he made a representation raising objections. Even without looking into the same, the respondents are trying to dispossess him, and therefore, the petitioner seeks necessary redressal in this Writ Petition.

After hearing the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue, this Court is of the considered opinion that *prima-facie* the petitioner was allotted the land and he was issued the pattadar pass book. Further, the land in Survey No.42 is more than Acs.5.00, and therefore, before taking any steps, respondent Nos.1 to 3 must conduct enquiry with regard to the assignment of the said land made to various persons including the petitioner. Unless and until, such enquiry is conducted and necessary action is taken for cancellation of the assignment in favour of the petitioner, the petitioner cannot be dispossessed from the land. It shall, however, be open to respondent Nos.1 to 3 to take necessary action for acquiring the land of the petitioner, if so required, in accordance with the principles laid down by a Larger Bench of this Court in **LAO-Cum-Revenue Divisional Officer v. Mekala Pandu.**

The Writ Petition, with the above observations and directions, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

31.01.2006

Note: Issue C.C today.

B/o.

vs